

C/O United States of America Grand Jury  
United States Federal District Court  
1 Courthouse Way Suite 2300  
Boston Massachusetts 02210  
Case File No. Hereto, \_\_\_\_\_

United States of America  
VS

Joseph Marion Head junior  
Defendant - Respondent And Etc.  
Relating Thereto As Related of Records.  
Reg. No. 17549-056

State of North Carolina  
VS

Joseph Marion Head junior  
Defendant - Respondent And Etc. As  
Relating Thereto As Related of Court Records.  
Prison No. H2-007-410-46-36

Application For Indictments To Issue  
Against Governmental Employees  
For Kidnapping Joseph Marion Head junior  
By Judicial Processes and Relating Thereto  
As Deprivation of Liberty Without Due  
Process And Equal Protection of Law And  
Constitution of The United States of America  
And Or By The States Thereof.

The Grand Jury is heretofore referred to  
each and all state and federal prison and  
and court records, persons, places and things  
, relating to Joseph Marion Head junior Reg. No.  
17549-056, Prison No. H2-007-410-46-36.



U.S. Department of Justice

United States Attorney  
District of Massachusetts

Main Reception: (617) 748-3100  
Fax Number: (617) 748-3971

John Joseph Moakley U. S. Courthouse  
1 Courthouse Way, Suite 9200  
Boston, Massachusetts 02210

January 3, 2005

Joseph Marion Head, Jr.  
Reg. No. 17549-056  
FMC-Devens  
P. O. Box 879  
Ayer, MA 01432

RE: USA v. Joseph Marion Head, U.S. District Court MBD No. 03-10228  
**Filed Under Seal**

Dear Mr. Head:

Our office is in receipt of your request dated December 17, 2004. Be advised that your case is closed and if you wish to make a request for copies of documents under the Freedom of Information Act (FOIA), you must file your request with the FOIA Unit, Executive Office of the United States Attorneys in Washington, D.C. That office coordinates the processing of all FOIA requests for all of the United States Attorney Offices. The address for the FOIA Unit is:

Freedom of Information Act/Privacy Act Unit  
Executive Office for United States Attorneys  
600 E Street, N.W., Room 7300  
Washington, DC 20530

I am returning your request with this letter so that you may contact the FOIA Unit directly. Be advised that if you continue sending FOIA requests to this Office, they will not be answered.

Sincerely,

*Eugenia M. Carris*  
Eugenia M. Carris  
Assistant U.S. Attorney

Enclosure

cc: William A. Brown, Esq.  
Ann H. Zgrodnik, Esq.  
(both w/o enclosures)

*Judge, Tauro, Enter Appropriate Order:  
Hereto To The Ends I be provided said  
records and information etc. And Order  
Appropriate Action otherwise as to me being  
Kidnaped, Etc. See all prison and court  
Records, Etc. Relating To Me; State the complete  
Background of all of same, prior, present, etc.*

*18 U.S.C. 4247  
(h)*

*Was This My Attorney  
what is His address  
what is Her address  
als and who is she*

*his request is part of a conspiracy  
deprive liberty without due process  
of equal protection of law, constitution*

*18 U.S.C.  
4247  
H) ETC.  
4245  
e) ETC.*

## Violations of Due Process And Other Rights, Etc.

Failure of the Court at each trial of Head's cases to charge and instruct the jury on all lesser offenses of Rape and Crime Against Nature violated Head's rights to due process and equal protection of law and constitution and did violate several rights and privileges of Head.

What Constituted An Lesser Offense of the offenses Head Was Charged With And Tried For. Elements, Evidence, Facts, Testimony, ETC.  
 Jones v United States, 544 A.2d. 1250 (D.C. 1988) Blockburger (1932)  
 Photographs of Complainant's body, relevant and necessary to show forcible rape. United States v Sampol, 204 U.S. App. D.C. 349, 636 F.2d. 621 (1980). U.S. Const. Amend 4, 5, 6, 8, 9, 14, N.C. Const. Art. 1 Sec. 19, 21, 23, 27 etc as applies.

That according to Head's testimony, all He did was solicited prostitution, if that and there was no legal proof at his trials, of a greater offense or crime.

Head's reasons for not keeping his agreement with her for sex was not legally proven to be untrue and same relates only guilt of a breach of agreement, not rape, etc..

When police etc learned of Head's reasons, No test was ordered to be performed on the girl for any purpose. Why Not. Same violated several rights of Head by not doing so.

That Head engaged in consensual sexual relations only with Striffen and it was not legally proven otherwise and cannot be proven otherwise.



David Kelly, Intake Staff  
617-482-3170 ext. 317  
[DKelly@aclu-mass.org](mailto:DKelly@aclu-mass.org)

January 3, 2005

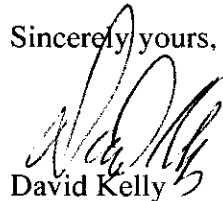
**LEGAL MAIL**

Joseph Marion Head Jr., Reg. No. 17549-056  
Federal Medical Center  
N-2, Cell 219  
Box 879  
Ayer, MA 01432

Thank you for your recent inquiry. I am sorry to report that the American Civil Liberties Union of Massachusetts cannot provide you with legal assistance. We are a relatively small private organization, supported by membership contributions. A large number of complaints come in to us regarding violations of civil rights and civil liberties, and we are only able to handle a very few. The result is that we must sometimes decline to help people who have meritorious claims.

I am sorry that we could not be more helpful.

Sincerely yours,



David Kelly

*Appoint Head Counsel, 18 U.S.C. 30006 A and  
sub sec. as applies to his cases, etc.*

The instruction should not be given if the factual issues to be resolved are the same as to both the lesser and greater offenses, *Berra v United States*, 351 U.S. 131 (1956)

One very important issue is whether the jury can legally begin deliberating on the lesser included offense without first unanimously voting to acquit on the greater offense, *Jones v United States* (1988) and *Blockburger* (1932) *Comber v United States*, 584 A.2d. 26, 53, n.46 (D.C. 1990) (en banc) the trial court erroneously instructed the jury that involuntary manslaughter is a lesser-included offense of voluntary manslaughter, and that it could consider involuntary manslaughter only if it first acquits on voluntary manslaughter. While both are included within second-degree murder, involuntary manslaughter is not a lesser included offense of voluntary manslaughter, and the jury should be instructed to consider both if there is a sufficient evidentiary basis. See *United States v Bradford* 344 A.2d. 208, 218 (D.C. 1975) *Reed v United States* 584 A.2d. 585, 590 (D.C. 1990)

The instruction must be given for any lesser included offense, even one to which the defendant would not be entitled to a jury trial, if there is an evidentiary basis. *Id.* at 1167. See e.g., *Simmons* 554 A.2d. 1167. *Sansone v U.S.*, 380 U.S. 343, 349-50 (1965)



BP-148.055 INMATE REQUEST TO STAFF CDFRM *Each Gov. Employee*  
 EP 98  
 U.S. DEPARTMENT OF JUSTICE *Attorney General* FEDERAL BUREAU OF PRISONS

TO: (Name and Title of Staff Member) <i>Director B.O.P., Warden, Ass. Wardens</i>	DATE: <i>1 - 4 - '05</i>
FROM: <i>Joseph Marion Head Jr.</i>	REGISTER NO.: <i>17549-056</i>
WORK ASSIGNMENT: <i>Ed. O.R.D.</i>	UNIT: <i>N-2 Cell 219</i>

SUBJECT: (Briefly state your question or concern and the solution you are requesting. Continue on back, if necessary. Your failure to be specific may result in no action being taken. If necessary, you will be interviewed in order to successfully respond to your request.)  
*Speedy Reply Demanded By Head Jr.*

*Failure of the Assistant Attorney - Eugenia M. Carris, to provide inmate Head a copy of all records as requested and the name and address of the Attorney who Represents him in the Nov. 17th, 03 hearing in Fed. Ct. Boston denied and deprived inmate Head with the records and information necessary to file a motion to the court as authorized by 18 U.S.C. 4247(h) and the United States Constitution. Thereby several rights of inmate Head's was violated and denied and deprived to him and unnecessary delayed. The aforesaid appears to have been part of a conspiracy against inmate Head and constituted a kidnapping of inmate Head as in deprivation of liberty without due process and equal protection of law and constitution.*

DISPOSITION: *The above, supported by a copy of a letter from the aforesaid, proves the violations of law and rights. Head Jr. demands his lawfull Court release be ordered and that He be legally paid One Billion Dollars Tax Free and the aforesaid E. M. Carris as his personal property or slave hereinafter or she be legally prosecuted for a conspiracy and kidnapping aforesaid. Her Choice are not forced one way or the other. She completely obey Head forever until dead or go to Prison Per Head's request.*

Signature Staff Member

Date

12  
4

The defendant must be informed of the degree's of the offenses he can and will be tried for, and of all included in the offense charged. see, *In Re. W.B.W.*, 397 A.2d, 143, 148 (D.C. 1979), see, *Hall v United States*, 343 A.2d, 35 (D.C. 1975) *United States v Whitaker*, 144 U.S. App. D.C. 344, 447 F.2d. 314 (1971)

A defendant is entitled to a lesser-included offense instruction when,

- (1) All elements of the lesser offense are included in the offense charged,
- (2) There is a sufficient evidentiary bases for the lesser charge, *Simmons v United States*, 554 A.2d. 1167, 1170 (D.C. 1989) *Rease v United States* 403 A.2d, 322, 328 (D.C. 1979) see, *Stevenson v United States*, 162 U.S. 313 (1896) (defendant entitled to instruction when jury rationally could not find him not guilty of greater offense but guilty of lesser offense.) This requirement generally is met when there is some evidence tending to create a dispute on the factual elements differentiating the two crimes.

But see all laws and cases relating to double jeopardy and other rights also. See, *Blockburger v United States*, 284 U.S. 299, 304 (1932), *Brown v Ohio*, 432 U.S. 161, 166 (1977). *Blockburger* - Since the greater offense follows or preceles, contains every element of the included offense, (prosecution for the lesser offense is barred.) Double Jeopardy Rights.

17549-056 who himself pro se respectfully moves the court as related herein above for the purposes stated herein, and states that morvant does not have a copy of his prison, medical, phy., court records and therefore cannot properly relate a complete background of the case and morvant herein to include his personal and private life and criminal history and all relating thereto as known and as may be learned of relating hereto. Morvant demands the United States provide the court with said information in its responds hereto and to provide morvant with a copy of same and all records etc. relating thereto, so morvant may file a rebuttal thereto, etc thereto and have said copy as a personal record of same.

The United States Be Legally Ordered To State and List in the aforesaid responds hereto, each and all, claims, grounds, allegations, errors, motions, ever been made, presented, asserted, etc, within the prison and court records relating to morvant and in all records etc. relating thereto, criminal, civil, tort, domestic, Social Security, V.A. etc, as known and as may be learned of and further state all laws etc which legally applies thereto and what relief should and should not be ordered and legal reasons why.  
Signed, Joseph Marion Head junior aforesaid, 1-4-05



Wherefore, Joseph Marion Head junior herein  
aforesaid respectfully moves the Grand  
Jury to fully investigate and issue or  
cause to be issued indictments for the  
just and legal cause for same as known  
by the Grand Jury.

Respectfully Presented On This The 23  
rd. day of Jan., 2005

Signed, Joseph Marion Head junior 17549-056  
N-2 cell 219 - Fed. Med. Center Devens  
Post Office Box 879 - Ayer - Massachusetts 01432

Date The Forgoing Application Placed In The  
Mail Box For Legal Mail of Inmates, At  
F.M.C. Devens, Jan. 24th. 2004.

Signed, Joseph Marion Head junior aforesaid.  
Jan. 23rd. 2005

United States District Court  
For the District of Massachusetts  
Boston Division  
1 Courthouse Way Suite 2300  
Boston Massachusetts 02210

United States of America  
Petitioner

Civil No. \_\_\_\_\_  
18 U.S.C. 4245(d)  
Commitment

v/s  
Joseph Marion Head  
Reg. No. 17549-056  
Respondent

Motion For A Hearing To Determine Whether  
Morant Should Or Should Not Be Discharged  
From His Commitment-18 U.S.C. 4245(d). Morant  
Makes This Motion Pursuant To 18 U.S.C. 4247(h)  
And The Constitution Of The United States Of America As  
Legally Relates And Applies Hereto, To Exclude  
Amendments 1, 4, 5, 6, 8, 9 and 14, as applies hereto.

Morant Further Moves The Court For Appointment  
Of Counsel Hereto And For The Hearing Above Moved  
For And For Such Other Purposes Known To The  
Court, Needed Or May Become Needed To Exclude  
Appeals, Law Suits, Etc. Authorized By Law.  
18 U.S.C. 30006A and sub sections as legally  
applies hereto and maybe legally applied hereto.  
The Constitution Of United States As Applies Hereto.

Now Comes, Joseph Marion Head Junior Reg. No.

BP-148.055 INMATE REQUEST TO STAFF CDFRM  
EP 98

U.S. DEPARTMENT OF JUSTICE

*Each Gov. Employee*  
*Attorney General*

FEDERAL BUREAU OF PRISONS

TO: (Name and Title of Staff Member) <i>Director B.O.P., Warden, Ass. Wardens</i>	DATE: <i>1 - 4 - 05</i>
FROM: <i>Joseph Marion Head Jr.</i>	REGISTER NO.: <i>17549-056</i>
WORK ASSIGNMENT: <i>Ed. ORD.</i>	UNIT: <i>N-2 Cell 219</i>

SUBJECT: (Briefly state your question or concern and the solution you are requesting. If necessary, you will be interviewed in order to successfully respond to your request.)  
*Speedy Reply Demanded By Head Jr.*

*Failure of the Assistant Attorney - Eugenia M. Carris, to provide inmate Head a copy of all records as requested and the name and address of the attorney who represents him in the Nov. 17th, 03 hearing in Fed. Ct. Boston denied and deprived inmate Head with the records and information necessary to file a motion to the court as authorized by 18 U.S.C. 4247(h) and the United States Constitution. Thereby several rights of inmate Head's was violated and denied and deprived to him and unnecessary delayed. The aforesaid appears to have been part of a conspiracy against inmate Head and constituted a kidnapping of inmate Head as in deprivation of liberty without due process and equal protection of law and constitution.*

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Signature Staff Member

Date

Further see the Annual Case Summary for Court dated 10-12-04 signed by Doctor Phy. Thompson relating to plaintiff. And see all Prison and Court records and all related and asserted therein and all relief demanded therein.

# RELIEF

IV. State what relief you seek from the Court. Make no legal arguments. Cite no cases or statutes.

- (1) Appoint Counsel Hereto, 18 U.S.C. 30006A
- (2) Order an in-court evidentiary hearing and
- (3) jury trial on all matters triable by jury.
- (4) Order criminal charge issue against the
- Defendant herein.
- (4) Order Defendant Pay To Plaintiff One Billion, Tillion
- Dollars Tax Free And Tillion Dollar Apstate For Plaintiff.
- (5) Order Plaintiff's Lawful Court Release From
- Illegal Custody, convictions, sentences, commitments

Signed this 19 day of Dec 2004.

Joseph Marion Heasler  
17549-056, P.O. Box 879  
To M. C. Devens  
Ayer - Ma. 01432  
 (Signature of Plaintiff or Plaintiffs)

## DECLARATION

I, Joseph Marion Heasler declare under penalty of perjury that I have read and subscribed to the above and state that the information contained therein is true and correct to the best of my knowledge.

Executed Dec. 19th 2004 at T. M. C. Devens

The Court Will Have To Make and Serve all Required Copies of This Complaint For Plaintiff is Unable To Do So due to his indigence. Further Must Order T. M. C. Devens To Send The Court a Copy of Plaintiff's Trust Fund Balance For Past Six Months.

Joseph Marion Heasler  
 Signature of Plaintiff

Signature of Attorney (If Any)

The Court Could Have Done This Prior As To all other complaints, Petitions, Etc. of Plaintiff. See Court Records and all Prior orders of the Court Relating To Plaintiff. Joseph Marion Heasler Junior oboraid - 1-4-05



**U.S. Department of Justice**

United States Attorney  
District of Massachusetts

Main Reception: (617) 748-3100  
Fax Number: (617) 748-3971

John Joseph Moakley U. S. Courthouse  
1 Courthouse Way, Suite 9200  
Boston, Massachusetts 02210

January 3, 2005

Joseph Marion Head, Jr.  
Reg. No. 17549-056  
FMC-Devens  
P. O. Box 879  
Ayer, MA 01432

RE: USA v. Joseph Marion Head, U.S. District Court MBD No. 03-10228  
Filed Under Seal

Dear Mr. Head:

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Executive Office for United States Attorneys  
600 E Street, N.W., Room 7300  
Washington, DC 20530

I am returning your request with this letter so that you may contact the FOIA Unit directly. Be advised that if you continue sending FOIA requests to this Office, they will not be answered.

Sincerely,

Eugenia M. Carris  
Assistant U.S. Attorney

Enclosure

cc: William A. Brown, Esq.  
Ann H. Zgrodnik, Esq.  
(both w/o enclosures)

his request is part of a conspiracy  
deceive Agent. without his name

18 U.S.C. 4247  
4245(e) (h)  
U.S.C.  
47  
ETC.  
45  
ETC.

Judge, Tawros, Enter appropriate order.  
Hereto to the ends & be provided said  
records and information etc. and order  
Appropriate Action otherwise as to me being  
Kidnaped, Etc. See all prison and court  
Records, Etc. Relating to me. State the complete  
background of all of same, prior, present, etc.

18 U.S.C. 4247  
(h)

Was This My Attorney  
What is his address  
What is her address  
etc and who is she



**PARTIES**

(In item I. Below, place our name in the first blank and place your present address in the second blank. Do the same for additional Plaintiffs, if any).

I. Name of Plaintiff: Joseph Marion Head Junior - Reg. No. 17549-056  
 Address: F.M.C. Devens - P.O. Box 879 - Ayer - Ma - 01432

(In item II. Below, place the full name of the defendant in the first blank, his / her official position in the second blank, and his / her place of employment in the third blank. Use the space below item II. for names, positions and places of employment of any additional defendants.)

II. Defendant David L. Wein is employed as Warden of F.M.C.  
Devens At Ayer, Massachusetts

**STATEMENT OF CLAIM**

III. State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of different claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheet(s), if necessary.)

Without legal reasons and just cause, Defendant dis-  
request that plaintiff be committed and a hearing  
for that purpose was conducted and plaintiff was  
known was, was illegally committed on Nov.  
19th, 2003, 18 U.S.C. # 245 as is evident and  
proof of same within the prison and court  
records relating to the aforesaid and relating  
to plaintiff and his criminal and civil cases.  
from North Carolina and relating thereto.  
Plaintiff is and was relating to the aforesaid and  
thereby, is and was kidnaped, deprived of  
his liberty without due process and equal protection of  
and was not allowed to appeal the commitment and a  
Motion 18 U.S.C. 4247(h) was not filed on plaintiff's behalf.  
and a Certificate was not<sup>3</sup> sent to the court by the  
Director of F.M.C. Devens nor others, for Plaintiff's Release.



David Kelly, Intake Staff  
617-482-3170 ext. 317  
[DKelly@aclu-mass.org](mailto:DKelly@aclu-mass.org)

January 3, 2005

**LEGAL MAIL**

Joseph Marion Head Jr., Reg. No. 17549-056  
Federal Medical Center  
N-2, Cell 219  
Box 879  
Ayer, MA 01432

Thank you for your recent inquiry. I am sorry to report that the American Civil Liberties Union of Massachusetts cannot provide you with legal assistance. We are a relatively small private organization, supported by membership contributions. A large number of complaints come in to us regarding violations of civil rights and civil liberties, and we are only able to handle a very few. The result is that we must sometimes decline to help people who have meritorious claims.

I am sorry that we could not be more helpful.

Sincerely yours,

  
David Kelly

*Appoint Head Counsel, 18 U.S.C. 30006 A and  
sub sec. as applies to his cases, etc.*

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF Massachusetts

Boston

DIVISION

Joseph Marion Head Junior  
Reg. No. 17549-05B -  
P.O. Box 879 - F.M.C. Devens  
Ages - Ma. 01432  
(Enter above the full name of the Plaintiff  
or Plaintiffs in this action)

United States of America And  
David L. Winn  
Warden of F.M.C. Devens  
P.O. Box 880  
Ages - Ma. 01432  
(Enter above the full name of the Defendant  
or Defendants in this action)

Jurisdiction of Court  
18, 28, 42 U.S.C., R. 57  
Fed. Cir. Proc., U.S.  
Constitution, Etc. Laws  
As Legally Applies  
Hereto and As May  
Be Applies Hereto.  
18 U.S.C. 30006A and  
Sub Sec. as applies  
Hereto.

- A. Have you begun other actions in Federal Court dealing with the same facts involved in this Action? Yes \_\_\_\_\_ No ✓ May Be, See Court Records
- B. If your answer to A is yes, describe the action in the spaces below. (If there is more than one action, describe the additional actions on the reverse side of this page).

1. Parties to the action: N/A - See Court Records

2. Court (Federal Court name the district): N/A - See Court Records

3. Docket Number: N/A - See Court Records

4. Name of Judge to whom case was assigned: N/A See Court Records

United States of America  
Federal Grand Jury  
C/o United States Federal District Court  
1 Court House Way, Suite 2300  
Boston Massachusetts 02210

In Re: United States of America  
VS

Joseph Marion Head Junior  
Defendant - Respondent  
And Etc. Relating Thereto The Aforesaid  
State And Federal Constitutional And  
Otherwise, Prior, Present, Hereinafter.

In Re: State of North Carolina  
VS

Joseph Marion Head Junior  
Defendant - Respondent  
And Etc. Relating To The Aforesaid, Prior  
Present And Hereinafter, State, Federal  
Constitutional, Courts, Etc And Otherwise.

Joseph Marion Head Junior Reg. No. 17549-056  
hereby respectfully makes application  
for indictments to issue as stated  
and indicated, herein and otherwise  
as authorized by State and Federal Laws  
And Constitutions Etc. Relating Thereto.  
And Refers the Grand Jury To All Known Records  
Persons, Places And Things Relating To The  
Aforesaid Herein And Head Hereof.

3

When could have and should have the state and federal courts appointed counsel and for what purpose and did not and because of same movant was forced to do the best he could pro se, when, how, where, why? What relief etc would have been ordered had movant been represented by counsel fully, effectively?

What cost more and why, forcing inmates, defendants to represent them self's or providing counsel to represent each of same at each stage of the processes? Which constitutes kidnapping or conspiracy?

How dose the laws relating to the Guide Lines, Points, Upward Departure and Downward Departure Now legally apply to movants State and Federal court cases and sentences? What changes in said laws was made that applies to movants cases and how applies and for what purpose and reasoning and relief, etc, to be entered relating thereto?

See movants commitment orders for 18 U.S.C. 4245(d) and see other sub sec of 4245 and 4247 to include 4245(e) and 4247(h).

What relief and release is and was movant legally entitled to and why, when?

Speedy Reply Etc Hereto Requested.  
Signed, Joseph Marion Head junior 17549  
056 Jan. 12th. 2005.



2

Perjury At Trial  
And Otherwise Relating Thereto.

Due process is violated any time perjury testimony is procured by the prosecutor. *Mooney v Holohan*, 294 U.S. 103 (1935) *Hawthorne v United States*, 504 A.2d. 580, 589-90 (D.C.), cert. denied 479 U.S. 992 (1986) *United States v Cuffie*, 80 F.3d. 514 (D.C. Cir. 1996) Solicitation of the perjury is not required, even when the witness, if the prosecutor knows it is false, there is a duty to disclose. *Alcorta v Texas* 355 U.S. 28 (1957)

Whether the defendant has requested any BRADY material or not, the prosecutor must disclose known perjury if "there is any reasonable likelihood that the false testimony could have affected the judgment of the jury!!" *United States v Agurs*, 427 U.S. 97, 103, (1976)

*Hiles v Maryland* 386 U.S. 66 (1967) -- Victim and her boyfriend, both witnesses at defendant's trial, testify as to factual events in manner totally contradictory to the statements they gave to police, prosecutor made no attempt to correct their testimony despite knowing about the prior statements.

Re: Bagley, held in a concurring opinion that the unified standard announced in that case "sufficiently flexible to cover all instances of prosecutorial failure to disclose evidence that

2

case and movant and etc persons relating to him and the aforesaid.

Movant need a copy of said records etc. for court related matters and a personal record of same. Movant does not have funds to pay for a copy of the aforesaid records etc.

Base on the aforesaid, the Court will have to make findings of fact of records etc as to the complete background of all of movant's State and Federal Prison and Court records etc relating thereto.

Further the Court must order movant be provided without cost to him for same, a copy of all records, etc relating to him and the aforesaid, past, present, hereinafter.

The Court is referred to the prison and court records as to all prior related and asserted relating to the aforesaid and movant herein, what, when, where, how, by who, etc..

Movant contends and asserts that He is and was kidnapped, etc., by and relating to the aforesaid and etc. relating thereto.

Further movant respectfully moves for appointment of counsel hereto, etc. aforesaid, 18 U.S.C. 30006A Sub sect. as applies hereto and ~~hereto~~ the aforesaid herein, and movant rights and privileges to habeas corpus relief, and release and relief and release otherwise by motions, complaints, etc. legal matters and remedies.

3

is and was favorable to the accused: id. at 685, 102 S.Ct. at 3385, and it was generally assumed this meant the court would use this single standard for instances of ~~perjured~~ testimony as well.

That the aforesaid applies to HEAD'S cases, see Griffen's statements to the police and see her trial testimony at each trial and see HEAD'S trial testimony.

The prosecutor made no attempt to prove Griffen did not commit perjury to convict HEAD in each of HEAD'S cases.

That it is evident of court records that Griffen did commit perjury to convict Head. See Griffen's statements to the police, doctors and others which was read at HEAD'S trials in the presents of the jury, etc., and related in the records of the appeals.

Had Griffen not have testified that no agreement for sex was made and that Head's reasons for not keeping the agreement was false and untrue.

The jury Verdicts would have been Not Guilty.

See records on appeal where Griffen said, I LET HIM --- have sex. Consent,

prior to and during sex. Eliminates the criminal offense of rape. She was not Raped, it was an agreement for sex between two persons of legal ~~age~~ age, to give consent to each other. It was not Solicitation For Sex Nor Prostitution Nor Rape.

In The United States District Court  
 For The District of Massachusetts  
 Boston Division  
 1 Courthouse Way - Suite 2300  
 Boston Massachusetts 02210

United States of America	Case No. _____
v s	civil commitment
Joseph Marion Head	18 U.S.C. 4245(d)
Reg. No. 17549 - 056	
Respondent	

Motion For judicial Protection Against Acts, Persons, Places, Things, Opinions, Orders, Judgments, Of The Courts, Etc. And Violences By Doctors, Phy., Etc., That Violates, Violating, Violated, Will Or May Violate, The Fundamental And Other Rights, Privileges Of Joseph Marion Head Junior Reg. No. 17549 - 056, And His Personal Family, Children and their Mothers and Girls of His Past, Present, Hereinafter,

This ~~motion~~ is respectfully made pursuant to the Provisions of Laws And Constitution And Human Rights, As Legally relates and applies to the aforesaid herein.

Background of The Case And Movant

Violative Of Movants And Others Rights Or Privileges, Joseph Marion Head Junior him self does not have a copy of the records etc. relating to the aforesaid

#

It was a conspiracy by Griffen, Cooper, Lowe, etc. to convict Head as is and was evident and proof same by the prison and court records and etc relating thereto.

Why was, Cooper, Griffen, Lowe, Never indicted relating to the charges Head related etc against each of same?

Further why was Cooper Not charged with perjury, conspiracy, rape, and aiding and abetting anything Head was convicted of and accessory to the fact, before and after the fact, of anything Head was convicted of and guilt by association, of anything Head was convicted of?

Cooper, Griffen, Lowe, Etc. Did Wilfully, Deliberately And Knowingly Tried To Murder Head in the First Degree By And Through A Judicial Process And Trial For An Alleged First Degree Rape And A Crime Against Nature And in the Alternative Kidnaped Head off of And By The jury Verdicts of Guilty of Second Degree Rape And Crime Against Nature. Head Was Kidnaped From Date of Arrest in April 15, 1974 Towards And Still is Kidnaped Relating To The Aforesaid And Otherwise As is And Was Evident And Proof of Same By And Within The Prison and Court records relating to Head.



To: Ann H. Izgradnick, Attorney At Law.  
Boston Mass.

## Due Process And Equal Protection of Law

Rights To Appeal, Etc. To Effective Assistance of Counsel  
If, after a trial, a respondent (Head) has been found likely to injure self or others as a result of mental illness, "the court shall advise the respondent (Head) of his right to appeal" within the time required by law as stated by the Court.

Counsel must discuss the right to appeal with the respondent (Head) and must file a timely notice of appeal on the respondents behalf. Failure to file a notice of appeal on behalf of respondent (Head), absent the respondents explicit instructions not to do so, violates ethical obligations and obligations imposed on counsel appointed to cases pursuant to the Criminal Justice Act. If counsel is unable to represent the respondent (Head) in the Court of Appeals, after filing the Notice of appeal, Counsel may request leave to withdraw and assignment of a new attorney.

Violation of Right To Appeal, Thereby, 18 U.S.C. 1201  
Failure of Counsel to take simple steps of filing notice of appeal when requested to do so by his client, constituted ineffective assistance of counsel, *H. Louser v United States*, S.D. Iowa 1970, 318, F. Supp. 175,  
*United States v Smith* C.A. 6 (Mich.) 1967, 387 F.2d. 268

## Violation of Right To Counsel.

Rights To Counsel to file petition for writ of cert. To U.S. Supreme Ct. Cases and Law 18 U.S.C. 30006A.

Read, 42 U.S.C. 1983, 1984, 1985, (3), 1986, 1343.

5

Wherefore, Head, prose respectfully moves the Grand Jury to fully investigate and return indictments and or cause indictments to be returned against all violations of law and Head's Rights and Privileges and further Cause Head to be Lawfully Released from custody etc. and lawfully paid the relief authorized by law, in maximum amount thereof possible. See all prison and court records as to relief etc. Head prior Demanded, and etc. demanded relating thereto the aforesaid.

Signed, Joseph Marion Head junior Reg. No. 17549-056, Jan. 23rd and 22nd, 05 N-2 Cell 219, Federal Medical Center Devens, Post office Box 879, Ayer, Mass achusetts, Zipcode 01432.

Date The Forgoing Placed in the Mail Box at F.M.C. Devens For Legal Mail, 1-23-05  
Joseph Marion Head junior 17549-056  
1-22-05

Motion Page No. 6

If so, How So? If Not, How Not? See all related, stated, asserted, asked for, and demanded within the prison and court records relating to each case aforesaid and etc. relating thereto.

Wherefore morant respectfully moves the court as related herein and further moves the Court Order that all cost of morants postage for legal mail and all cost of and for copies for court related and other legal matters and all cost for large envelopes for legal mail, be paid by the Government due to morants indigence as shown by his prison and court records for the past 31 years. Further order that morant be paid back, all cost prior for legal mail and copy, cost and for ink pens and paper, etc. for the past 31 years, The Court estimate the cost for same. based on a review of all records relating to morant.

Respectfully Presented 1-22-05  
Sign, Josph Marion Head Junior 17549-056  
N-2 - Cell 219, Fed. Med. Center Devens,  
Post Office Box 879 - Ayer - Massachusetts - 01432

United States District Court  
For The District of Massachusetts  
Boston Division  
1 Courthouse Way - Suite 2300  
Boston - Massachusetts - 02210

United States of America Petitioners vs Joseph Marion Head, Reg. No. 17549-056 Respondent	civil commitment pursuant to 18 U.S.C. 4245(d) case No. <u>Nov. 17th, 03</u> Objection To The Commit- ment and Forced Medication As Hereby Entered.
--	--

Motion To Be Aforded The Right To Refuse  
Medication And Treatment Presently  
Being Forced On And Or Into Morant  
Violative of Laws, Constitution And Morants  
Rights And Priviledges And Human Rights.  
And For Lawful Court Release From Custody Etc.  
To The Honorable Judge, Tamm, United States  
Federal District Court In Boston, Massachusetts

Attention, United States Attorney General and  
His Or Her Staff Relating To The Above Case.

Attention, William A. Brown, Attorney At Law,

Attention, Ann H. Zgodnik, Attorney At Law,

## Motion Page No. 5

Movant further moves the Court to order that movant be ordered given a copy of all, records, reports, statements, documents etc. relating to movant's court cases and institutional records etc, commitments, etc., and that all of same be made into memograph form typed written and transcript form, typewritten, and all of same given to movant with out cost for same.

Movant further moves for an Order of this Court issue Ordering the Reason's Why 18 U.S.C. 4244 and subsec. 1 was not applied and ordered relating to movant prior. Further Why 18 U.S.C. 4245 and 4247 and subsec. 1 thereof was and was not fully applied to movant in accordance with due process and equal protection of same, What was and was not required by said law and was same done or not done, etc.?

Movant further moves the Court to Order petitioners aforaid herein To legally prove whether or not movant's state and federal charges and convictions and sentences, and commitments, is and was legal, valid, final, constitutional, or not?



## Motion Page No. 2

Now comes, Joseph Marion Head Junior Reg. No. 175 49-056, Respondent in the above entitled cause and movant herein, who himself pro re respectfully moves the Court as related herein aforesaid, pursuant to the provision of law and constitution of the United States of America and the States thereof As Legally Applies Hereto.

An Incourt Evidentry Hearing In This Matter Is Respectfully Asked For, Requested And Demanded, As Legally Applies Relating Hereto.

With The Assistance of An Appointed Counsel To Represent Movant, As Authorized Etc. By Laws and Constitution of The United States And The States Thereof.

The Petitioner In The Above Entitled Cause And All Employee's of The United States And The States Thereof And All Other Persons Involved Etc. Relating To The Aforesaid Case And Cause Is Asked To Be Subpoenaed To Testify At The Aforesaid hearing and to bring with each of same, all records documents, statements, affidavits, reports, etc. relating to them and the aforesaid and a copy of all of same be entered or read into the transcripts relating to the aforesaid and a copy of all the aforesaid be ordered given to movant and his counsel, without cost.

## Motion Page No. 4

treatment and care which was considered, recommended, ordered or not ordered, applied for and not applied for, should and should not, have been applied for and why, and ordered or not ordered and why. And whether or not the aforesaid is and was legal or not, ~~with~~ Legal Proof of same as to how legal and how not legal, and why.

Movant further moves the Orders of This Court, Order, petitioners aforesaid, state, show, prove, When, Where, How, By Who or What and why, Movant Was Advised and Informed of His Rights and Privileges And All Proceedings due process of and relating to, 18 U.S.C., 4244, 4245, 4247, 30006A, and sub sec's of each and 28 U.S.C. 2241. And How each rights and privileges was and was not afforded to movant, Why, How, When, Where, By Who And What, Etc. Relating thereto ~~to include~~ all forms for same given and not given to movant, etc, reasons. etc for the forms etc relating thereto. Further show and prove what records etc. movant is and was legally entitled and has or has not and why not, relating To all the aforesaid herein mentioned etc relating thereto and hereto.

## Motion Page No. 3

The aforesaid relates and applies also to all persons relating to movant's state and federal court cases in any way, past, and present and hereinafter, to include all the Governmental Employees, Courts, Institutional and otherwise as relates to movant and or his court cases, past, present, etc..

Movant further respectfully moves that the Court Appoint, Investigators and Expert Witnesses and Doctors and Phys. in Movant's Favor, Defense and To Assist Movant and His **Appointed Counsel** of and relating to and Hereto in a Hybrid Defense or other defense as the court allows and orders relating hereto.

All Reasons of State and Federal Governmental Employees Past and Present, For, Recommending, Ordering and Prescribing Medicen and Phy. Medicen For Movant Past and Presents and Proof of the Legality of Same And Proof of The Need For Same And Forcing The Medicen On And Or Into Movant, is asked to be ordered stated under oath in type written form and testified to in court relating hereto, at the hearing aforesaid, herein. Further state all other medicen

United States District Court  
 For The District of Massachusetts  
 Boston Division  
 1 Courthouse Way - Suite 2300  
 Boston Massachusetts 02210

In Re: Joseph Marion Head Junior Reg. No.  
 17549-056, Old State of North Carolina Prison No.  
 H2-410-007-46-36, Old Service Number  
 For The United States Army - RA-128-133-58,  
 S.S. No. 248-72-8942, Social Security No.  
 248-72-8942, And Each File Number And Other  
Numbers, Relating To The Aforesaid, Past, Present, Etc..

Motion For A Copy Of Each And All Records,  
 Documents, Court and other Records, Briefs,  
 Transcripts, Statements, Affidavits, Etc.,  
 Relating To Joseph Marion Head Junior aforesaid  
 In Any Way What So Ever, Past, Present, Etc.,  
 Without Cost To Joseph Marion Head Junior  
 Aforesaid, For Same.

This Motion is Respectfully Made Pursuant To  
 The Provisions of Laws, Constitutions, case Laws,  
 Etc. And The Jencks Act, And The Freedom  
 of Information Act, Brady Doctren, Brady v  
 Maryland case and all other Cases, Laws, Ethics,  
 Rules, Etc. Relating To Disclosure And Disclosure  
 To The Defendant In Criminal Cases And To The  
 Plaintiff In Civil Cases, As Both Applies To  
 Movant Herein.

Signed, Joseph Marion Head Junior aforesaid - 1-9-05

**RELIEF**

IV. State what relief you seek from the Court. Make no legal arguments. Cite no cases or statutes.

- (1) Leave To Proceed In Forma Pauperis Hereto Etc.
  - (2) Appoint Counsel's, Experts Doctor, Phy., Etc. Lawyers Etc. Professionally Trained In Law, Medicine, Phy.:
  - (3) Order incourt evidentiary hearings and jury trials.
  - (4) Order all processes etc to be fully Transcribed and order transcripts and memograph Records of aforesaid etc. be made and Given to plaintiff free of charge for same.
  - (5) All Prior Relief Demanded By Plaintiff, Which is Authorized by law to be ordered in full or otherwise, be ordered hereto.
  - (6) Order Plaintiff Legally Paid Not Less Than A Billion Billion Billion Tons of Dollars Tax Free and build his name as prior demanded
- Signed this 3 day of Jan. 200 5.

Joseph Marion Head Jr.  
Reg. No. 17549-056  
Social Security No.  
248-72-8942  
 (Signature of Plaintiff or Plaintiffs)

**DECLARATION**

I, Joseph Marion Head Jr. declare under penalty of perjury that I have read and subscribed to the above and state that the information contained therein is true and correct to the best of my knowledge.

Executed Jan. 3, 2005 at L.M.C. Devers  
 Date Place

The Court Make And Serve All Required copies of This Complaint or Appoint Counsel to do so as well To Effectively and Competently represent this complaint and all relating thereto For A Fee As Paid by the Court For same and 1 percent of all relief ordered by the court. (4)

Signed Joseph Marion Head Junior of aforesaid  
 on Jan. 3, 2005.

Joseph Marion Head Junior  
 Signature of Plaintiff

\_\_\_\_\_  
 Signature of Attorney (If Any)



Joseph Marion Head Junior  
Reg. No. 17549-0516  
Unit-N-2 cell 219  
Fed. Med. Center Devens  
Post Office Box 879  
Ayer, Ma - 01432  
1-8-05

Mr. Taura  
U.S.D.Ct. Fed. Judge  
United States District Court  
1-Courthouse Way  
Suite 2300  
Boston-Ma. 02210

Letter To The Judge  
Taura  
Speedy Reply Demanded

Judge, Taura

I request and demand that you appoint me  
counsel, competent and effective counsel, this time.  
18 U.S.C. 30006A and sub provisions, for purpose  
of filing an untimely appeal from your  
order committing me, Nov. 17, 03 and all other  
orders relating thereto. Further for the purpose  
of filing motions for discharge 18 U.S.C. 4245(e)  
, 4247(d) and for purpose of filing petition for  
writ of habeas corpus, 18 U.S.C. 1201, 28 U.S.C.  
2241 as relates to your apaid order and  
my state and federal court cases, crim., civ. etc..  
I am and was kidnaped by judicial processes  
and relating thereto, and you know it and knowed  
it when you committed me. Didn't You.  
Once while housed on N-3 cell 309 F.M.C.D.

**PARTIES**

(In item I. Below, place our name in the first blank and place your present address in the second blank. Do the same for additional Plaintiffs, if any).

I. Name of Plaintiff: Joseph Marion Head Junior - Reg. No. 17549-056  
 Address: N-2 Cell 219, F.M.C. Derens, P.O. Box 879, Ayer, Ma., 01432

(In item II. Below, place the full name of the defendant in the first blank, his / her official position in the second blank, and his / her place of employment in the third blank. Use the space below item II. for names, positions and places of employment of any additional defendants.)

II. Defendant See Page No. 1 is employed as \_\_\_\_\_  
 \_\_\_\_\_ At \_\_\_\_\_

**STATEMENT OF CLAIM**

III. State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of different claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheet(s), if necessary.)

Defendants Deprived Plaintiff of His Liberty  
Without Due Process and/or Equal  
Protection of Law, Constitution and Human  
Rights Protected By Laws, Constitutions and the  
American Convention on Human Rights. Further  
thereby and relating thereto did kidnap Plaintiff  
By judicial Processes or Relating Thereto, See  
and apply to the aforesaid and asserted, all  
the Prison and Court Records Relating To the  
Plaintiff and all Records, Persons, Places, Things  
Relating To the Aforesaid Prior, Present Etc.  
Hereinafter as applies etc. hereto, etc..

I got out of the shower and put my towel beside me and said Tauro, Tauro, like a bull in Mexico. Later that week I was told I was going to court and the judges name was Tauro: Doctor Thompson told me the judges name aforesaid.

I did not consent to be transferred to F.M.C. Revens from F.C.I. Beckely and I have petitions etc pending in federal court in Beckely W.Va. at the time of my transfer.

The transfer was illegal, 18 U.S.C. 1201 and you did not have proper jurisdiction nor legal jurisdiction to commit me, 18 U.S.C. 1201 and Conspiracy Law.

That female lawyer that was with Mr. Brown attorney at law, at my hearing Nov. 17, 03, send her to me to talk to about my cases etc. Or send me to her. Do this now, I do not know her name or address; I can not write to her. Was she my lawyer also?

I refer you to each and all my prison and court records, etc. records, persons, places and things relating thereto. Make findings of fact as to all of same and the complete background of same, each of same and of all related, stated, asserted and demanded therein and relating thereto, prior, present, hereinafter.

Signed, Joseph Marion Head junior aforesaid, 1-8-05

UNDER 28 U.S.C. § 1331 OR § 1346, 2201, 2202, 2241,

42 U.S.C. As Applies Hereto, Fed. R. 57 As Applies Hereto

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF Massachusetts

Boston

DIVISION

Joseph Marion Head Junior  
Reg. No. 17549-056 (N-2 cell  
219 Fed. Med Center Devens P.O.  
Box 879-Ayer, Ma. 01432

(Enter above the full name of the Plaintiff  
 or Plaintiffs in this action)

VS.

Fed. B.O.P. And F.M.C.  
Devens And The Employees  
of Each Liabilities Herein

(Enter above the full name of the Defendant  
 or Defendants in this action)

See, Dec. 8th. 2004  
Court Order of Judge  
R. C. Stearns, of this  
Court

Send This Complaint Or a  
copy thereof to the aforesaid  
Judges For Approval To Be Filed  
and Processed, Etc. Fully and  
legally, Etc. With Liberal  
Construction Etc. To Plaintiff.  
U.S. (V) Green, U.S. v Keen,  
ETC. Cases and Laws.

A. Have you begun other actions in Federal Court dealing with the same facts involved in this  
 Action? Yes \_\_\_\_\_ No \_\_\_\_\_ N/A - See Court Records

B. If your answer to A is yes, describe the action in the spaces below. (If there is more than one  
 action, describe the additional actions on the reverse side of this page). N/A - See Ct. Records.

1. Parties to the action: Joseph Marion Head Junior Reg. No. 17549-056  
Or H2-007-410-46-36

2. Court (Federal Court name the district): See Each District Court Court Records,  
(N.C.) (Va) (Mich.) (Boston-Mass.)

3. Docket Number: N/A See Court Records

4. Name of Judge to whom case was assigned: N/A - See Court Records

Appoint A Special Selected Team of Lawyers  
Etc. To Represent this Complaint.  
18 U.S.C. 30006A and sub sec. d.

- Inquisitor  
Tilgont

United States District Court  
 For The District of Massachusetts  
 Boston Division  
 1 Courthouse Way - Suite 2300  
 Boston Massachusetts 02210

United States of America  
 Petitioner

VS

Joseph Marion Head  
 Reg. No. 17549-056  
 Respondent

Civil Case Number - N/A,  
See - Ct. Rec.,

18 U.S.C. 4245(d) Civil  
 Commitment And Etc.  
 Relating Thereto To Enclude  
 4245 and 4247 and sub sec. of each.

Motion For A Copy Of All, Records, Documents,  
 Statements, Affidavits, Transcripts, Briefs, Etc.  
 Relating To The Above Entitled Case, To Enclude  
 All Institutional And Medical And Phy. Records.  
 This Motion Is Made Pursuant To The Provisions  
 Of Laws, Constitution, Rights And Priviledges That  
 Authorizes, Requires And Entitles All The Aforesaid  
 To Be Granted And Ordered Provided To Movant  
 Without Cost To Movant For Same. The Court  
 Is Heretofore Referred To All Provisions of Law  
 , Cases, Ethic's, Etc. Relating To Disclosures And  
 Discovery, To Enclude The Brady Doctrine of  
 Brady v Maryland 373 U.S. 83 (1963) and United States  
 v Bagley 473 U.S. 667 (1985), United States v Valenzuela  
 - Bernal 458 U.S. 858 (1982) Strickland v Washington  
 466 U.S. 668 (1984), U.S. v Nobles 422 U.S. 225 (1975).



Each Gov. Employee

44-148.055 INMATE REQUEST TO STAFF CDFRM  
EP 98  
U.S. DEPARTMENT OF JUSTICE *Attorney*

FEDERAL BUREAU OF PRISONS

24 98

U. S. DEPARTMENT OF JUSTICE

Attorney General

TO: (Name and Title of Staff Member)	DATE:
2. Asst. Warden, Reg. Director, I. S. M.	1-3-05
FROM:	REGISTER NO.:
Joseph Marion Head Junior	17549-056
WORK ASSIGNMENT:	UNIT:
Ed. ORD	N-2 Cell 219

DISPOSITION: RE: United States of America (vs) Joseph Marion Head 17549-056  
Application For Warrant For Arrest For Kidnaping 18 U.S.C. 1201.  
The representation received and not received constituted A  
kidnaping by judicial processes and relating to judicial Process  
See all prison and court records relating to the aforesaid case  
and all State and Federal Prison, Medical, Phy, Court  
records relating to Joseph Marion Head Junior 17549-056  
and see all related, stated, asserted and demanded in  
said records and relating thereto and by who, when,  
where, how, why Etc. As applies thereto. Further see  
all laws relating to Discovery and disclosure and  
all case laws, and cases on disclosure and N.C. State Bar  
Annotated Rules of Professional Conduct Rule 7-3,  
and canons of Ethics E.C.M.-13-1, 2, 3, N.C.G.S. 7A-66-(B), 17-8.

DISPOSITION:

and canons of Ethics E.C. 1-13, 1-14.  
DISPOSITION:  
Head Pro Se, Demands that Arrest warrants issue for  
kidnaping and conspiracy, etc. as learned of relating  
to the Aporais and his prison and court records (State  
and Federal)  
Further Appoint Head Counsel, 18 U.S.C. 3006A to file  
civil actions, petitions, etc. for court release of  
Head from custody with all other relief the court orders  
relating hereto.  
Cause a copy of this cop out be sent to Courts and Justice Dept.

Signature Staff Member

Date \_\_\_\_\_

Re: 18 U.S.C. 4245(d) 4247(d) etc, 4247(h)  
 Re. Doctor Thompson's Report, Re. Inmate Head,

Re: Annual Case Summary For Court Dated 10-12-04

N.C.G.S. 15A-1415-A-B-B-1,2,3,7,8, As Applies.

The Prosecution With Held Favorable Evidence  
From The Defense, Violative of The Defendants Rights.

Had medical test been timely conducted to see  
whether or not Griffen's sex size was greater  
than Head's (larger) if so, how much and whether  
or not Griffen puaionania stunk real bad to Head.

Whether there is a reasonable probability that,  
had the evidence been disclosed to the defense,  
the result of the proceedings and trials would  
have been different: if so, how different and  
what would have the results have been Had  
the jury of each of Head's trials had heard  
the aforesaid evidence and medical test  
results from an expert witness and a  
doctor that examined Griffen on April 15th  
1974 when she first reported she had been  
raped and thereafter could have, when Head  
told the police and his attorneys his reasons  
for not keeping the agreement with Griffen  
for sex.

Further why was Griffen not testes to see  
 if she had, had oral sex and if so, what  
 who or what. N.C. State v Whitmore 1969,  
 as to burden of proof and as to what had  
 to be proven, legally. Perjured Testimony  
 is not legal proof of an offense of any crime.  
 Signed, Joseph Marion Head Junior 17549-056 (1-9-05)

## STATEMENT OF INDIGENCY

### Request To Waiver Or Defer Payments

I do hereby swear, under penalty of perjury, that the following information is true and correct.

I, Joseph Marion Head Jr., do assert that my income prevents me from paying any fees while incarcerated due to the fact that I only earn \$ 20.00 about<sup>1</sup> per month at my current work assignment.

By my not being able to afford to pay any unreasonable payments, it adversely affects my ability to research information which could help with any appeal or liberty interest. Any other payments that may have been made in the past have been made with the assistance of family members who cannot afford to help with, nor is it their responsibility to do so.

In the event a full waiver of payments is not feasible, I would agree to, and fully intend to, pay the fees required. However, I would request a deferment of such payments until such time as I am on Supervised Release, at which time I will have an opportunity to obtain meaningful and gainful employment.

Respectfully submitted this 8 day of Jan, 2005.

Name: Joseph Marion Head Jr.  
Number: 17549-056  
F.M.C. Devens, Unit: N-2-Cell 219  
P.O. Box 879  
Ayer, MA 01432

1. Please see copy of account for previous six (6) months.

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF Massachusetts

Boston DIVISION

Joseph Marion Head Junior  
N-28 m.c. Derens, P.O. Box 879  
Ayer-Ma. - 01432  
Reg. No. 17549-056  
(Enter above the full name of the Plaintiff  
or Plaintiffs in this action)

Jurisdiction of the Court Hereto.  
18, 28 and 42 U.S.C. and Rule  
57 Federal Rules of Civ. Proc.,  
As Applies And As May Be Applied  
Relating Hereto.

VS.

United States of America  
And Employees thereof,  
Liable Herein And  
Hereto.  
(Enter above the full name of the Defendant  
or Defendants in this action)

Court Appoint Counsel Hereto,  
18 U.S.C. 3000b A and sub sec. d  
Court Review All Prior And Present,  
Prison And Court Records As To The  
Indigence Of Plaintiff For The  
Past 31 years And Grant Leave  
To Proceed In Forma Pauperis

- A. Have you begun other actions in Federal Court dealing with the same facts involved in this  
Action? Yes \_\_\_\_\_ No \_\_\_\_\_ N/A - See Ct. Rec.
- B. If your answer to A is yes, describe the action in the spaces below. (If there is more than one  
action, describe the additional actions on the reverse side of this page).

1. Parties to the action: N/A - See Ct. Rec.
2. Court (Federal Court name the district): N/A - See Ct. Rec.
3. Docket Number: N/A - See Ct. Rec.
4. Name of Judge to whom case was assigned: N/A - See Ct. Rec.

Miscellaneous Business Docket Judge.  
Motion: The Court and Judge is respectfully moved to allow  
this complaint to be filed in forma pauperis and  
fully processed in forma pauperis. Same is presented  
in good faith and for a just cause - violations of rights.  
See, Judge, R. H. Stearns Order of Dec. 8, 2004 requiring  
approval by this court as to anything presented by Plaintiff.  
Said Judge over reacted as a Judge.

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

JOSEPH MARION HEAD, )  
                     Petitioner, )  
                                   ) )  
                     v. ) C.A. No. 04-40084-RGS  
                                   ) )  
 DAVID L. WINN, )  
                     Respondent. )

MEMORANDUM AND ORDER

By Order dated September 17, 2004, the court instructed the Clerk to docket no further filings submitted by Joseph Marion Head without the prior approval of the court. See 9/17/04 Order, Docket No. 5.

For the reasons set forth below, the Clerk is directed to return to petitioner the documents that were received for filing after the issuance of the court's September 17<sup>th</sup> Order.

## DISCUSSION

Petitioner Joseph Marion Head is a federal prisoner<sup>1</sup> now confined to FMC Devens in Ayer, Massachusetts. Despite the issuance of an injunction on September 17th, Mr. Head has continued to submit documents for filing. Upon review of these submissions, the court finds the documents, save one

<sup>1</sup>Petitioner is now serving a 360-month sentence that was imposed pursuant to his convictions on nine counts of mailing threatening communications in violation of 18 U.S.C. § 876. See United States v. Head, No. 98-cr-102-ALL (W.D. N.C. Sept. 12, 2001).



**PARTIES**

(In item I. Below, place our name in the first blank and place your present address in the second blank. Do the same for additional Plaintiffs, if any).

I. Name of Plaintiff: Joseph Marion Head Junior, Reg. No. 17549-056  
 Address: J.M.C. Derens - P.O. Box 879 - Ayer - Ma. - 01432

(In item II. Below, place the full name of the defendant in the first blank, his / her official position in the second blank, and his / her place of employment in the third blank. Use the space below item II. for names, positions and places of employment of any additional defendants.)

II. Defendant U.S.A. and Employee's thereof, liable Herein is employed as \_\_\_\_\_  
 At \_\_\_\_\_

**STATEMENT OF CLAIM**

III. State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of different claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheet(s), if necessary.) U.S. Const. Amed. 5, 6, 8, 14 and 18 U.S.C. 3000b A and sub sec. as applies hereto, the Court failed to appoint counsel for the purpose of representing plaintiffs prior charges and convictions in an effort to prevent same from being used to the prejudice of plaintiff at trial and at sentencing, Said prior convictions and charges was used to the prejudice of plaintiff in Federal Court for purpose of obtaining an upward departure and greater sentence, Title 21 U.S.C. S. 851 and sub sec. was not applied in plaintiffs federal cases. Why Not? The Court could have and can correct the illegal sentences aforesaid at any time and the Attorney For Gov. and Defense Attorney failed to move for a correction in the illegal sentences aforesaid, Deprivation of Liberty Without Due Process and Equal Protection of law<sup>3</sup> and constitution and Human Rights of American's and U.S.A.,



UNITED STATES DISTRICT COURT  
OFFICE OF THE CLERK  
JOHN JOSEPH MOAKLEY COURTHOUSE  
1 COURTHOUSE WAY, SUITE 2300  
BOSTON, MASSACHUSETTS 02210



December 14, 2004

Mr. Joseph M. Head, Jr.  
Reg. No. 17549-056  
FMC Devens  
P.O. Box 879  
Ayer, MA 01432

Dear Mr. Head:

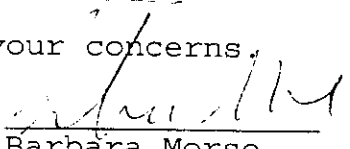
The Clerk received your correspondence seeking information on the three notices of appeal you recently filed.

The Court's records indicate that by Order dated November 30, 2004, Judge Stearns ordered the clerk to enter the Notices of Appeal in the following actions: (1) Head v. United States, et al., C.A. No. 04-40089-RGS; (2) Head v. Unknown Parties, et al., C.A. No. 04-40090-RGS; and (3) Head v. America, et al., C.A. No. 04-40103-RGS.

Enclosed please find courtesy copies of the docket sheets for these three cases and note that the docket for each case indicates the case is on appeal. After the district court transmits the files to the Court of Appeals for the First Circuit, you will be notified of the appeals court case numbers.

Finally, I am enclosing a copy of the December 8<sup>th</sup> Memorandum and Order issued by Judge Stearns in Head v. Winn, C.A. No. 04-40084-RGS. This order requires you to obtain approval of the Miscellaneous Business Docket Judge before filing any documents with this Court. In the future, if you wish to file any documents in the District of Massachusetts, the Memorandum and Order requires you to file a written petition accompanied by a copy of the December 8<sup>th</sup> Memorandum and Order together with the papers sought to be filed and a certification under oath that there is a good faith basis for their filing.

I hope that this letter addresses your concerns.

  
Barbara Morse  
Pro Se Office

RELIEF

IV. State what relief you seek from the Court. Make no legal arguments. Cite no cases or statutes.

- (1) Grant Leave To File And Proceed In Forma Pauperis
- (2) And Appoint Counsel Hereto Without Delay.
- (3) Grant Inquest Evidentiary Hearings And Jury Trial.
- (3) Order plaintiff legally paid One Billion Dollars Tax Free  
Per each day he is and was illegally in custody, past,  
present, hereinafter. Further order a complete city  
be built in the shape of the letters which spell  
plaintiffs full name on 500 miles of land and  
a Billion Dollars Worth of Supplies For Said City per each  
week or month hereinafter, all aforesaid Tax Free.

Signed this 8th day of Jan, 200 5.

Joseph Marion Head Junior  
17549-056-(N-2 Cell 219)  
F.M.C. Derens, P.O. Box 879-  
Ayer-Ma, 01432  
 (Signature of Plaintiff or Plaintiffs)

DECLARATION

Joseph Marion Head Junior declare under penalty of perjury that I have read and subscribed to the above and state that the information contained therein is true and correct to the best of my knowledge.

Executed 1-8-05 at F.M.C. Derens  
 Date Place

The Court must make and serve  
all required copies of this complaint  
due to plaintiffs indigence, the  
Plaintiff is unable to do so himself.

Joseph Marion Head Junior  
 Signature of Plaintiff

Appoint Counsel Hereto,

18 U.S.C. 30006 A

Signature of Attorney (If Any)

Plaintiff has request copy of his  
Prison Trust Fund For Past 6  
months and has not received  
same; therefore the Court must  
order F.M.C. Derens to provide  
the Court with same, now and should have Prior as to other complaints.

United States District Court  
 For the District of Massachusetts  
 Boston Division  
 1 Courthouse Way - Suite 2300  
 Boston Massachusetts 02210

United States of America Petitioner	Civil Case Number
vs	18 U.S.C. 4245(d)
Joseph Marion Head Reg. No. 17549-056 Respondent	Commitment And Etc. Relating Thereto

18 U.S.C. 1201 By Judicial Processes

Motion For Discharge Of A Committed Person Pursuant To 18 U.S.C. 4245(d) Etc. As Was Applied. This Motion Is Pursuant To The Provisions Of 18 U.S.C. 4247(h) And The Constitution Of The United States Of America As Legally Relates And Applies Hereto.

Treatment Received While Kidnaped By Judicial Processes

When The Court Ordered Commitment Of Head, It Did Not Order Nor State Any Rehabilitation Program Meeting The Needs Of Head. And None Was Stated By The Doctors, Phy. Nor Attorney General Of United States. See 18 U.S.C. 4247(i)(1)(i-D)(i-C)(h)(e)(D)(A)(b)(C), See Etc. duties Etc as stated in said law aforesaid. U.S. Const. Amend. 1, 4, 5, 6, 8, 9, 14, as applies to the aforesaid and as could have and should have been asserted etc. prior hereto by Defense Counsel Of Head and Gov. attorneys, Judge, Doctors, Etc., See, read, etc. each and all known, record, persons

**THE ARTICLE(S) OF THE DECLARATION OR CONVENTION  
THAT HAVE BEEN VIOLATED .....**

.....

**NAMES AND TITLES OF PERSONS (AUTHORITIES) WHO  
COMMITTED THE VIOLATION .....**

.....

.....

**WITNESSES TO THE VIOLATION (Include addresses and  
telephone numbers of witnesses) .....**

.....

.....

**DOCUMENTS/PROOFS (for example, letters, legal  
documents, photos, autopsies, tape recordings, etc.)**

.....

.....

**DOMESTIC LEGAL REMEDIES PURSUED (e.g. copies of writs  
of Habeas Corpus or Amparo)**

.....

.....

.....



place and thing, past, present, hereinafter, as relates and applies to the aforesaid herein and Movant hereof, Head aforesaid.

Failure To inform and advise Head of all of his privileges and rights as relates and applies to all the aforesaid and etc. relating thereto, prior, present, hereinafter, to include as to all relief and release prior and present demanded and why. Violated his rights and privileges to same, etc.. rights violated also as known by the courts, etc..

See all claims, grounds etc. of Head, within the Prison and Court Records and all Relief Demanded As To Each of Same, Prior And Present.

That per each violation of Head's rights and privileges aforesaid, Head Pro Se Demands That He be legally paid at least A Billion Dollars Tax Free Per each violation of his rights and privileges and Human Rights. And Double that amount per each day illegally, or unconstitutionally in custody from 1973 Forward as relates and applies to the aforesaid.

That Head's full name be ordered built in building forms as stated in his prison and court records and a all girl and women staff for same be provided To Head and each of same be paid at least \$100,00 an hour and each work 8 hours a day 6 days a week hereinafter and time and half for all overtime. Each employee be required to have an IQ of at least 130 and have training in law and medicine at least and go to school as needed.

---

**VICTIM**

Name: .....

Age: .....

Nationality: .....

I.D. N°: .....

Marital status: .....

Occupation: .....

Address: .....

City, Province, State: .....

Country: .....

Telephone: .....

Number of children: .....

**GOVERNMENT ACCUSED OF VIOLATION**

.....

.....

**ALLEGED HUMAN RIGHTS VIOLATION.** (Explain what happened in as great a factual detail as possible, specifying place and date of the violation)

.....

.....

.....

---

All That is within Head's Name, is Head's and should be legally registard as Head's. This be applied World Wide in Each Nation Thereof, Herein after. Build The Name And Be All You Can Be in The Name. But To This Man Shall You Look. ISS. 66-V-1, 2, Corint. 1 Ch. 11 v 3.

The Legal And Religgest Deffension of The Name, As Defind, World Wide in Each Nation.

The Court is heretofore respectfully moved To Order all relief authorized, required, entitled, and demanded, relating to the aforesaid and etc. relating thereto, prior, present, etc..

Signed, Joseph Marion Head junior Reg. No. 17549-056  
Jan. 5th., 05.  
N-2 Cell 219  
Fed. Med. Center Perens  
P.O. Box 879  
Ayer, Ma. 01432

The Court Make And Serve All Required Copies of This Motion. Movant is unable to do so himself due to his indigence, etc..

The Court is further refered to the Court Order of Judge Stearns, dated 8, Dec., 04., case No. C.A. No. 04-4008 4-RGS., Movant can not send a copy of the court order due to his indigence. But refers to court to the court recouse as to same. And all relating thereto.

Joseph Marion Head junior aforesaid, 1-5-5.

---

**VICTIM**

Name:.....  
Age: .....  
Nationality: .....  
I.D. N°: .....  
Marital status.....  
Occupation: .....  
Address: .....  
City, Province, State: .....  
Country:.....  
Telephone: .....  
Number of children: .....

**GOVERNMENT ACCUSED OF VIOLATION**

.....  
.....

**ALLEGED HUMAN RIGHTS VIOLATION.** (Explain what happened in as great a factual detail as possible, specifying place and date of the violation)

.....  
.....  
.....

45148.055 INMATE REQUEST TO STAFF CDFRM *Each Gov. Employee*  
 P 98  
 S. DEPARTMENT OF JUSTICE *Attorney General* FEDERAL BUREAU OF PRISONS

TO: (Name and Title of Staff Member) <i>Asst. Warden, Reg. Director, I.S.M.</i>	DATE: <i>1-3-05</i>
FROM: <i>Joseph Marion Head Junior</i>	REGISTER NO.: <i>17549-056</i>
WORK ASSIGNMENT: <i>Ed. ORD</i>	UNIT: <i>N-2 Cell 219</i>

SUBJECT: (Briefly state your question or concern and the solution you are requesting. Include as much detail as possible. Your failure to be specific may result in no action being taken. If necessary, you will be interviewed in order to successfully respond to your request.) *Failure to file Notice of appeal and motion 18 U.S.C. 4247(b)*

*RE: United States of America (VS) Joseph Marion Head 17549-056*  
*Application For Warrant For Arrest For Kidnaping 18 U.S.C. 1201.*  
*The representation received and not received constituted A*  
*Kidnaping by judicial processes and relating to judicial Process.*  
*See all prison and court records relating to the aforesaid case*  
*and all State and Federal Prison, Medical, Phy., Court*  
*records relating to Joseph Marion Head Junior 17549-056*  
*and see all related, stated, asserted and demanded in*  
*said records and relating thereto and by who, when,*  
*where, how, why Etc. as applies thereto. Further see*  
*all laws relating to Discovery and Disclosure and*  
*all case laws, and cases on disclosure and N.C. State Bar*  
*Annotated Rules of Professional Conduct Rule 7-3.*  
*and canons of Ethics E C 7-13-1, 2, 3, N.C.G.S. 7A-66-(B), 17-8.*

DISPOSITION:  
*Head Pro Se, Demands that arrest warrants issue for*  
*Kidnaping and conspiracy, etc. as learned of relation*  
*to the aforesaid and his prison and court records (State*  
*and Federal)*  
*Further Appoint Head Counsel, 18 U.S.C. 30006A to file*  
*civil actions, petitions, etc. for court release of*  
*Head from custody with all other relief the court orders*  
*relating hereto.*  
*Cause a copy of this copy out be sent to Courts and Justice Dept.*

Signature Staff Member

Date



---

**VICTIM**

Name:.....  
Age: .....  
Nationality:.....  
I.D. N°: .....  
Marital status.....  
Occupation:.....  
Address: .....  
City, Province, State:.....  
Country:.....  
Telephone: .....  
Number of children: .....

**GOVERNMENT ACCUSED OF VIOLATION**

.....  
.....

**ALLEGED HUMAN RIGHTS VIOLATION.** (Explain what happened in as great a factual detail as possible, specifying place and date of the violation)

.....  
.....  
.....



U.S. Department of Justice

United States Attorney  
District of Massachusetts

Main Reception: (617) 748-3100  
Fax Number: (617) 748-3971

John Joseph Moakley U. S. Courthouse  
1 Courthouse Way, Suite 9200  
Boston, Massachusetts 02210

January 3, 2005

Joseph Marion Head, Jr.  
Reg. No. 17549-056  
FMC-Devens  
P. O. Box 879  
Ayer, MA 01432

RE: USA v. Joseph Marion Head, U.S. District Court MBD No. 03-10228  
**Filed Under Seal**

Dear Mr. Head:

Our office is in receipt of your request dated December 17, 2004. Be advised that your case is closed, and if you wish to make a request for copies of documents under the Freedom of Information Act (FOIA), you must file your request with the FOIA Unit, Executive Office of the United States Attorneys in Washington, D.C. That office coordinates the processing of all FOIA requests for all of the United States Attorney Offices. The address for the FOIA Unit is:

Freedom of Information Act/Privacy Act Unit  
Executive Office for United States Attorneys  
600 E Street, N.W., Room 7300  
Washington, DC 20530

I am returning your request with this letter so that you may contact the FOIA Unit directly. Be advised that if you continue sending FOIA requests to this Office, they will not be answered.

Sincerely,

Eugenia M. Carris  
Assistant U.S. Attorney

Enclosure

cc: William A. Brown, Esq.  
Ann H. Zgrodnik, Esq.  
(both w/o enclosures)

*Judge Tauro, Enter appropriate Order. Hereto to the ends & be provided said records and information etc. And Order appropriate action otherwise as to me being kidnaped, etc. See all prison and court records, etc. Relating to me, State the complete background of all of same, prior, present, etc.*

*his refusal is part of a conspiracy deprive liberty without due process of equal protection of law.*

*18 U.S.C. 4247 (h) ETC. 4245 (e) ETC.*

*Was This My Attorney  
What is His address  
What is Her address  
Als and who is she*

*18 U.S.C. 4247 (h)*

To, Ann H. Grodman, Esq. Attorney At Law, Boston, Mass.

You have my consent to file this complaint on your own relating to me and my cases etc. . .

IACHR HANDBOOK

## APPENDIX

### COMPLAINT FORM

Complaints should be drafted in a simple and straightforward manner, free of political rhetoric.

Petitions addressed to the Commission shall include:

- the name, nationality, profession or occupation, postal address, or domicile and signature of the person or persons making the denunciation; or in cases where the petitioner is a nongovernmental entity, its legal domicile or postal address, and the name and signature of its legal representative or representatives;
- an account of the act or situation that is denounced, specifying the place and date of the alleged violations and, if possible, the name of the victims of such violations as well as that of any official that might have been appraised of the act or situation that was denounced;
- an indication of the state in question which the petitioner considers responsible, by commission or omission, for the violation of a human right recognized in the American Convention on Human Rights in the case of States Parties thereto, even if no specific reference is made to the article alleged to have been violated;
- information on whether the remedies under domestic law have been exhausted or whether it has been impossible to do so.

Signed Joseph Marion Head Junior

Reg. No. 17549 18 956 (1-24-05)

Inter American Commission and Court in Human Rights  
located in Washington, D.C. 20549 (P.O. Box 20006  
1889 F. St, N.W.)

You can also file to the United Nations Commission on Human Rights  
in my behalf. You have my consent to do so.  
Have the court the Appoint you to do it.



David Kelly, Intake Staff  
617-482-3170 ext. 317  
[DKelly@aclu-mass.org](mailto:DKelly@aclu-mass.org)

January 3, 2005

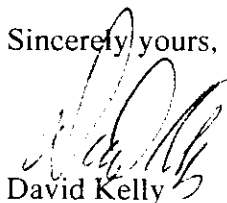
**LEGAL MAIL**

Joseph Marion Head Jr., Reg. No. 17549-056  
Federal Medical Center  
N-2, Cell 219  
Box 879  
Ayer, MA 01432

Thank you for your recent inquiry. I am sorry to report that the American Civil Liberties Union of Massachusetts cannot provide you with legal assistance. We are a relatively small private organization, supported by membership contributions. A large number of complaints come in to us regarding violations of civil rights and civil liberties, and we are only able to handle a very few. The result is that we must sometimes decline to help people who have meritorious claims.

I am sorry that we could not be more helpful.

Sincerely yours,



David Kelly

*Appoint Head Counsel, 18 U.S.C. 30006 A and  
sub sec. as applies to his cases, etc.*

To Judge, Tauro and All Persons Places, Thing  
Relating To Head's cases, commitments, etc..

The Courts Should Have Made Findings of Records  
Themselves on their own action etc..

The U.S.A. should have related the below to the Courts.

Mr. Brown - Attorney At Law Could Have asserted  
The Herein Below On Head's Behalf timely  
to the District Court and To Appeals Court and  
United States Supreme Court and Did Not. Why?

Violations of Rights To Effective Assistance  
Of Counsell In Lower Courts and On Appeal.  
In That,

Failure To appeal sentencing error constituted a  
default, but, relief was nevertheless  
required because sentence was in excess  
of the maximum authorized by law and or  
was illegal and or unauthorized at the time  
imposed, because of the reasons prior  
related and asserted to the Courts and the  
prison staff and further as known by  
the Courts and attorneys for the Govern-  
ment and defense prior. See and apply  
To Head's cases, The below law and cases,

United States (v) Caslano, 929, F. 2d, 1046, 1051, 5th  
Cir. (1991)

United States (v) Metzger - 3, F. 3d., 756, 757, (4th  
Cir. (1993)) cert. denied 114 S. Ct. 1374 (1994)

Strickland (v) Washington (1984)

Title 21 S. 851 and sub sec's thereto.

Apprendis (v) New Jersey

Blackely (v) Washington

United States (v) Booker 2004 - 2005

United States (v) Tanfan 2004 - 2005



*United States Federal Grand Jury*  
*Boston Massachusetts 02210*



U.S. Department of Justice

United States Attorney  
 District of Massachusetts

Main Reception: (617) 748-3100  
 Fax Number: (617) 748-3971

John Joseph Moakley U. S. Courthouse  
 1 Courthouse Way, Suite 9200  
 Boston, Massachusetts 02210

*Has not*  
 18 U.S.C. 4245(e) been  
 4247(h) fully applied to Head's case, why not?  
 January 3, 2005

Joseph Marion Head, Jr.  
 Reg. No. 17549-056  
 FMC-Devens  
 P. O. Box 879  
 Ayer, MA 01432

*Not has 18 U.S.C. 30006A and sub. sec's  
 thereof, why not?*

*Deprivation of Liberty Without Due Processes  
 and equal protection of law - 18 U.S.C. 1201 as*

RE: USA v. Joseph Marion Head, U.S. District Court MBD No. 03-10228  
 Filed Under Seal

*applies Hereto,  
 Head's cases.*

Dear Mr. Head:

Our office is in receipt of your request dated December 17, 2004. Be advised that your case is closed and if you wish to make a request for copies of documents under the Freedom of Information Act (FOIA), you must file your request with the FOIA Unit, Executive Office of the United States Attorneys in Washington, D.C. That office coordinates the processing of all FOIA requests for all of the United States Attorney Offices. The address for the FOIA Unit is:

Freedom of Information Act/Privacy Act Unit  
 Executive Office for United States Attorneys  
 600 E Street, N.W., Room 7300  
 Washington, DC 20530

I am returning your request with this letter so that you may contact the FOIA Unit directly. Be advised that if you continue sending FOIA requests to this Office, they will not be answered.

*Was This My Attorney  
 what is His address  
 what is Her address  
 als and who is she*

Enclosure

Sincerely,

*Eugenia M. Carris*

Eugenia M. Carris  
 Assistant U.S. Attorney

cc: William A. Brown, Esq.  
 Ann H. Zgrodnik, Esq.  
 (both w/o enclosures)

*18 U.S.C. 4247  
 (h)*

*Judge Tauro, Enter appropriate Order:  
 Hereto to the Ends & be provided said  
 records and information etc. And Order  
 Appropriate Action otherwise as to me being  
 Kidnaped, Etc. See all prison and court  
 Records, Etc. Relating To Me, State the complete  
 Background of all of same, prior, present, etc.*

*his refusal is part of a conspiracy  
 deprive liberty without due process,  
 of equal protection of law, violation*

*RECEIVED  
 DISTRICT OFFICE  
 JAN 11 2005  
 11:30*

Motions Page No. 4

Motions And Errors Of Trials, Related And  
Asserted Within The Prison And Court Records  
Relating To Movant And His State And Federal  
Court Cases, Etc Relating Thereto. And Further  
All Prior Related To The United States Attorneys  
And Warden - David L. Wims of F.M.C. Devers  
And Warden - Troy Williamson of F.C.I.  
Beckley, And To The District Attorney of  
Rutherford County North Carolina And  
To Ann H. Izgodnik - Attorney At Law,

Such other and further grounds as may be  
asserted etc by court appointed attorneys  
hereto and or movant

If the Courts Grants An Incourt  
Evidentry And Etc Hearing Relating  
Hereto Movant Will Want Witnesses And  
Records, Subpoenaed For Movant And  
Movant Will Want To Testify In His  
Own Behalf.

Movant will need investigators and  
expert witnesses appointed for movant.

Movant cannot make and serve copies  
of this motion due to movants indigence.  
See movants prison and court records as to same.  
Signed, Joseph Marion Head Junior (1-17-05)  
Date Sent To Court By Mail (1-18-05)

United States District Court  
 District of Boston Massachusetts  
 Case Number \_\_\_\_\_

United States Federal Judge, Tawro  
 18-28 and 42 U.S.C. As Applies Hereto.  
 28 U.S.C. 2241(3) etc. as applies hereto.  
 Conspiracy And Kidnaping By Judicial  
 Processes And Or Relating Thereto.  
 Title 21 U.S.C. 851 and sub sec. as applies.  
 N.C.G.S. 17-8, 15A-1415-B-2, 3, 7, 8, 1, 15A-954(a)

Defendants waiver of rights to counsel made in  
 August 1976 in the Superior Court of Rutherford  
 County North Carolina was illegal and invalid and  
 was not voluntary and intelligently made.

(1) The defendant was forced to chose between  
 representation by an incompetent and not prepared  
 counsel (Robert H. Summy) or representing his  
 own self.

(2) The Judge Bailey, did not conduct in court  
 competence hearing to see whether or not the  
 defendant was legally competent to represent his  
 own self in a rape case.

(3) Judge Bailey failed to advise and inform  
 the defendant of the, disadvantages, pitfalls,  
 and dangers, of self representation, prior to  
 allowing the defendant to signed the waiver  
 of right to counsel.

See, U.S. v Tabor and U.S. v Cash, etc. cases  
 8th, 9th, 10th, 11th. and other circuits, that  
 relates and applies thereto the aforesaid and  
 all other claims, grounds, motion, etc within the

Motion Page No. 3

Freedom of Information Request presented by  
movant prior hereto.

The United States of America in a reply hereto  
can and must state an accurate back  
grounde aforesaid, for the court and movants  
information and record of same and for  
movants Counsel if the Court Appoints an  
attorney or a team of attorneys to represent  
movant relating hereto, etc relating hereto and  
thereto, see, 18 U.S.C. 30006 A and sub sec. & there  
of as applies hereto.

Prior Hereto, Movant was not informed of all  
of his rights and of procedural due process  
of 18 U.S.C. 4245, 4247 and sub sec. of each,  
and 18 U.S.C. 30006 A and sub sec. & thereof.  
Nor as to any rights of appeals and further  
reviews, etc. relating to the aforesaid.  
Nor was movant aforesaid all of the aforesaid  
rights and privileges. Why Not? Movant did  
not knowingly waive nor abandoned any  
of the aforesaid rights and privileges.

Grounds For Discharge And Release  
From Criminal Convictions And The  
Criminal Sentences, And Criminal  
Charges, State And Federal As Dore  
Relate And Apply To Movant Herein.  
Each And All Prior, Claims, Grounds, Allegations,

2

prisons and court records relating to the defendant, Head, Reg. No. 17549-056. As to Head's State and Federal Court cases and etc. relating thereto, Other's and also as applies to Head's Federal commitment civil 18 U.S.C. 4245(d), at which Head was forced to be represented By William A. Brown - Attorney At Law who was not prepared to represent Head and was ineffective and incompetent, at the Hearing and Prior thereto, and Thereafter.

Head has been Kidnaped by Judicial Processes And Or Relating thereto, From April 15th 1974 Forward and still is. Why? By Who And What, When, Where, How, Why?

See all prison and court records as to all relief and release Head prior demanded etc., and etc. relating to same.

Appoint Counsel Hereto For Head Hereof  
 18 U.S.C. 30006 A and Sub Sec. S.  
 18 U.S.C. 4245 (e) hearing and  
 4247 (h) hearing, 28 U.S.C. 2241 hearing  
 Etc. hearings etc..

Joseph Marion Head junior 17549-056  
 1-15-05



## Motion Page No. 2.

Now Comes, Joseph Marion Head Junior, Reg. No. 17549-056, who is the respondent in the above entitled cause and is the Movant, herein, who himself pro se respectfully moves the court for discharge and lawfull court release from custody, etc., This motion is respectfully made pursuant to the provisions of 18 U.S.C. 4245(e) and 4247(h) and 28 U.S.C. 2241 and the United States Constitution, as applies hereto.

Movant was committed on Nov. 17th. 2003 By the Honorable United States Federal Judge Tawro, in the United States District Court For Boston - Massachusetts.

That as to a complete background of the case and movant hereof, the court is heretofore referred to all State and Federal Prison and Court Records relating to movant, past and present, etc. as applies and to all related and asserted and asked for and demanded within said records aforesaid and all records etc. relating to said records and movant, to include each process etc. of and relating to the aforesaid to include institutional and judicial and otherwise.

Movant cannot state the aforesaid background herein because he does not have a copy of said records and has tried several times to obtain same, see prison and court records and

Re: U.S. (v) Head - The caption of the case and greater sentence is illegal and invalid, etc., not based on legal and valid charges and convictions.

---

Re: State v Head - No. 74CR2403 - 74CR2403-A - Defendant Pro Se Demands One Billion Dollars Tax Free Because of Violations of His Rights To Effective Assistance of Counsel And Etc. Rights.

Failure of defense counsel to timely raise as a defense at each trial of the cases, Complainant and Defendant Engaged In Consensual sexual relations based on an agreement of \$20,00 and a ride half way to the beach, for sex, as defendant testified at trials and the complainants denial that said agreement was <sup>not</sup> made was perjury or it was not proven not to have been perjury. In support that it was perjury in the complainants statement to police, doctor's and others, in which she stated as related herein below.

#### Complainants Statement

[I'll do or say anything to convict him.  
Anything it takes - Whatever it takes,  
whatever is necessary,  
whether it is true or not,]

See the transcripts of trials and records on the appeals as to said statement above.

Said attorneys and prosecutor should have moved for judgments of acquittal in both cases and for the judges to properly instruct and charge the jury's, that they may acquit defendant if it concludes that the defendant had reasonable grounds to believe complainant consented to have sex and oral sex.

Further see, Davis (v) United States, 613 A. 2d. 906, 908-912 (D.C. 1992) - 18, 28 and 42 U.S.C. As Applies Hereto, U.S. and N.C. Constitution As Applies To The Aforesaid, N.C.G.S. 17-8, 17-10, 17-17, 17-21, Kidnaping Laws.

United States District Court  
For The District of Massachusetts  
Boston Division

1 Courthouse Way - Suite 2300  
Boston Massachusetts 02210

United States of America  
Petitioner

vs

Joseph Marion Head junior  
Reg. No. 17549-056  
Respondent

Motion For Discharge Pursuant  
to 18 U.S.C. 4247(h), and  
4245(e), 28 U.S.C. 2241  
case no. 03-CV-10228  
Civil Commitment 18 U.S.C.  
4245(d), Nov. 17th. 2003.  
U.S. Fed. Judge, Tauro.

To The Honorable United States Federal District  
Court Judge, Tauro, For The United States District  
Court of Boston, Massachusetts.

For United States of America

Attention, Michael J. Sullivan, U.S. Attorney  
Attention, Gina Y. Walcott-Torres, Ass. U.S. Attorney,  
John Joseph Moakley United States Courthouse,  
1 Courthouse Way, Suite 9200  
Boston - Massachusetts, 02210  
(617) 748-3100

Prior Attorneys For The Respondent

Attention, William A. Brown, Attorney At Law,  
Attention, Ann H. Zgodnik, Attorney At Law  
Joseph Marion Head junior Reg. No. 17549-056 -  
Unit-N-2, Cell 219, Federal Medical Center Devens, Post Office  
Box 879, Ayer Massachusetts, Zip Code - 01432.

Re: State v Head No. 74CR2403 - 74CR2403A.  
One Billion Dollars Tax Free Demanded Pro Se.

Violation Of Right To Effective Assistance  
Of Counsel, Strickland v Washington 1984.

Failure of defense counsel, Wolf and Harris To Raise  
As A Defense, Complainant and Defendant Engaged in  
consensual sexual relations and therefore No Rape  
Nor Crime Against Nature was committed By the  
Defendant, constituted ineffective Assistance of  
counsel and violated several of the Defendants  
Rights. Said attorneys should have moved for  
a judgment of acquittal in both cases because  
the District Attorney failed to prove that she  
did not consent to sex and oral sex. And her  
trial testimony denying an agreement for  
sex was made, was perjury or was not proven  
not to have been perjury. See also her state-  
ments to the police in which she stated,  
[ I'll do or say anything to convict him,  
whatever it takes,  
whatever is necessary,  
whether it is true or not. ]

The jury should have been informed at each  
of the trials, that, it may acquit if it concludes  
that defendant had reasonable grounds to believe  
complainant consented.

See, Davis v United States, 613, A.2d. 906, 908-912  
(D.C., 1992)

U.S. and N.C. Const. as applies to the aforesaid.

Judge, Tauro, should have himself reviewed all prison and court records of and relating to Head, and made findings etc. thereof and relating thereto.

Not having done so prior violated Head's rights and privileges as said judge now knows. Therefore said judge should do so now, fully and completely and effectively not to the prejudice of Head, and based thereon and relating thereto, Order to Head all, Criminal, Civil, Tort, and Damages Relief the Law Allow, and all cause same to be ordered.

Speedy Rely And Adjudication Hereto  
is Respectfully Requested And Demanded

Signed, Joseph Marion Head junior 17549-056  
Jan. 17<sup>th</sup>. 2005  
N-2 Cell 219 Fed. Med. Center, Devereaux  
Post office Box 879  
Ayer - Massachusetts - 01432

Date this Motion sent to Court - 1-18-05



United States District Court  
For The District of Boston - Ma.

United States of America VS Joseph Marion Head junior Reg. No. 17549-056	Motion For Appointment of Counsel, 18 U.S.C. 30006A and Sub Sec. As Applies, And Crim. Civ. Etc, Relief, Release
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To, Tawro, United States Federal District Court Judge

Title 21 U.S.C. S. 851 and sub sec. s was not applied in Head's Federal Court cases. Why?

See the prison and court records as to all claims, grounds, motions, etc. etc. relating to Head's State and Fed. court cases and who asserted, etc. What, Which, How, When, Where, Why, Etc.:

Herewith is a list of some grounds, which applies to Head's State case 74CR2403.

Mr. William A. Brown could have but did not, present all the herein and etc to the court Nov. 17-2003 and before and after that date, to include on an appeal that could have been taken, and in a motion 18 U.S.C. 4247(h) and in a petition 28 U.S.C. 2241. Why didn't he do so?

(1)

The Trial Judge Bailly, Failed to inform and advise Head, of the disadvantages of self representation he would or may face if he waived his right to counsel and represented his own self.

Therefore Head's Waiver Of Right To Counsel Is Not Legal And Valid.

See, U.S. v Taylor and U.S. v Cash, Etc. cases.

(2)

Head, was "forced to chose between" excepting an attorney (Robert G. Summy) who was an incompetent or ineffective counsel and was not prepared to represent Head's cases, Or to represent himself. Head, told Judge Bailly that if Mr. Summy is the best you have to offer, I'll represent my self. Judge Bailly then had Head to sign the Waiver of Right To Counsel.

(3)

Judge Bailly Failed to conduct an hearing to determined the competence of Head to see whether or Not Head was legally competent to represent him self in his cases, Rape, Etc..

(4)

Judge Bailly failed to conduct a competence hearing to determine whether or Not Head was competent to stand trial and to represent his own self with only a day and a half to prepare for trial in. Head was incusstody and a laymen at law.

United States District Court  
 For The District of Massachusetts  
 1 Courthouse Way Suite 2300  
 Boston Massachusetts 02210

United States of America	Civil Commitment
Petitioner	18 U.S.C. 4245(d)
VS	Nov. 17th. 2003
Joseph Marion Head	Boston, Ma. U.S.D.Ct.
Respondent	No. _____

Motion For Court Order To Issue To All The  
 Persons, Places And Things, Which Has Any  
 Records, Documents, Statements, Affidavits,  
 Etc. Relating To Morant And His State  
 And Federal Court Cases And His Civil  
 Commitment, To Provide Morant And  
 The Court With A Copy Of Each Of Same, In  
 Type Written Form And In Original Form  
 In Transcript And Memergraph Form Of  
 Each And All Of The Aforesaid, Without  
 Cost To Morant For His Copy Of The Aforesaid

That This Motion is Made Pursuant  
 To Each And All Provisions of Laws, Cases,  
 Etc. Relating To Discovery And Disclos-  
 ure. Further Pursuant To The Jencks Act  
 And Freedom of Information Act And The  
 Privacy Act, The Brady Doctrine And The  
 Case of United States v Bagley, 473 U.S. 667 (1985)  
 Strickland v Washington 466 U.S. 468 (1984)  
 United States v Valenzuela - Bernal 458 U.S. 858  
 (1982) And 18 U.S.C. 3771 (1994) 18 U.S.C. 3771 (1994)

Complaint Page No. 5

Ann H. Zgrodnick, Esq. Attorney At Law  
From Boston Massachusetts.

(2)

That the Court order leave to proceed in  
forma pauperis based on the courts review  
of plaintiffs prison and court records for  
the past 31 years.

(3)

The Court Disbar Defendant As An Attorney At  
Law Or Order It Done.

(4)

Defendant be charged Etc. For Conspiracy  
and Kidnaping.

(5)

Defendant be ordered to pay plaintiff at  
least One Billion Dollars Tax Free in U.S.A.  
currency and all property etc. of Defendants  
be ordered to be Plaintiffs, legally.

(6)

Such Other And Further Relief As The Court  
Deems, Appropriate, Fair, Just, Entitled,  
Authorized By Law, Constitution, Human Rights.

Signed, Joseph Marion Head junior 17549-056  
Jan. 26th. 2005

Date Mailed Jan. 26th. 2005

In The United States District Court  
 For The District of Massachusetts  
 Boston Division  
 1 Courthouse Way Suite 2300  
 Boston Massachusetts 02201

Joseph Marion Head junior  
 Reg. No. 17549-056  
 Plaintiff

VS

William A. Brown,  
 Attorney At Law in  
 Boston Massachusetts  
 Defendant

Complaint  
 In Forma Pauperis  
 Civil Case No. \_\_\_\_\_

Appoint Counsel Hereto  
 18 U.S.C. 30006 A  
 and sub sec. 5 as  
 applies

### Jurisdiction

The Court has jurisdiction herein pursuant  
 to the provisions of laws and constitution of the  
 United States of America And The States Thereof  
 As Legally Applies Relating Hereto As Known By Court.

### Plaintiff

Plaintiff herein is Joseph Marion Head junior  
 Reg. No. 17549-056 who is a Caucasian male  
 born on December Second 1946 is Hartonia,  
 North Carolina of The United States of America, Presently  
 housed in N-2 cell 219 of F. M. C. Devens, located  
 at 42 Patton Road, Post Office Box 879 Ayer-Ma, 01432.



## Complaint Page No. 4

Defendant did not ask nor file for hybrid defense, Defendant violated plaintiffs rights to due process and equal protection of law and other rights, to include not to be deprived of liberty but by due process of law. As Applies Thereto, 18 U.S.C. 1201 and 42 U.S.C. 1984, 1985(3), 1986, 28 U.S.C. As Applies.

Failure of counsel to take simple steps of filing notice of appeal per his clients request that he do so, constituted ineffective assistance of counsel and a deprivation of the right to appeal and other rights. *Glouser v United States*, S.D. Iowa (1970), 318 F. Supp. 175, and see *United States v Smith* C.A. 6 (Mich) (1967) 387, F. 2d. 268. And see, *Sincox v United States*, 571, F. 2d., 876, 879-80, 5th. Cir. (1978) Failure by an attorney to perfect an appeal where the client has indicated a desire to appeal (is cause) and see, *United States v Wilson* 997, F. 2d., 429, 431 (8th Cir. (1993), *United States v Caslano*, 929, F. 2d. 1046, 1051, 5th. Cir. (1991), *United States v Metzger* 3 F. 3d. 756, 757 (4th. Cir. (1993) cert. denied 114 S. Ct. 1374 (1994).

Relief Demanded By Plaintiff Pro Se Is,

(1)

Leave To Proceed In Forma Pauperis Hereto  
And Appoint Counsel Hereto - Attorney Requested

Complaint Page No. 2

The Warden of The Aforsaid Medical Center vs  
David L. Winn.

Defendant

Defendant herein is William A. Brown,  
Attorney At Law,  
Boston, Massachusetts, 02210, See Court  
Records As To Complete Address of Defendant,  
who Represented Plaintiff in Boston Fed.  
Court, Nov. 17th. 2003, in a Civil Commitment  
Case, 18 U.S.C. 4245(d).

Plaintiff herein is proceeding pro se with  
out the assistance of a person profession-  
ally trained in law or an attorney at law,  
until and unless the Court appoints counsel  
to represent morant - Plaintiff herein. And  
therefore Plaintiff is legally entitled to a  
liberal construction by the Courts and the  
Judges therefore.

See Law As To Pro Se Litigants  
Green v United States, 260 F. 3d, 78, 85,  
(2d. Cir. 2001) and Haines v Kerner, 404 U.S.  
C. 519, 520-21 (1972) per curiam.

It is well settled that pro se litigants generally are entitled  
to a liberal construction of their pleadings, which should  
be read, to raise the strongest arguments they suggest.

That over 20 years ago the 4th. Cir. Ct. App. s did  
adjudge that when indigent plaintiffs are

Complaint Page No. 3

proceeding pro se, are not required to prove their asserted claims and grounds in advance of a full in-court evidentiary hearing.

Claims Asserted Herein By Plaintiff Pro Se

(1)

Defendant herein violated Plaintiff's Rights To,

1- Effective Assistance of Counsel at the Commitment Hearing conducted Nov. 17-03 in U.S.D.C. Boston Mass. Division Before Federal Judge, Tauro, Presiding Judge.

### FACTS

Defendant did not present any evidence nor any witnesses on plaintiff's behalf and would not allow plaintiff to testify in his own behalf now was plaintiff allowed to talk to defendant during said hearing nor thereafter.

Defendant did not appeal plaintiff's commitment and knewed plaintiff want to appeal same. Nor did defendant tell plaintiff how to appeal pro se and to give notice of appeal and motion for appointment of counsel.

Defendant did not withdrawal from plaintiff's case per plaintiff request, demand and motion for him to do so.

Defendant failed, file motion 18 U.S.C. 4245(e) 4245 (h) etc as he could and should have.